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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,685	08/26/2003	Joshy Joseph	POU920030043US1	3776
46429 7590 02/21/2008 CANTOR COLBURN LLP-IBM 'POUGHKEEPSIE 20 Church Street 22nd Floor Hartford, CT 06103			EXAMINER SEYE, ABDOU K	
			ART UNIT 2194	PAPER NUMBER
			MAIL DATE 02/21/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/648,685

Applicant(s)

JOSEPH ET AL.

Examiner

Abdou Karim Seye

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 11-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 11-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/ are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) ☐ Interview Summary (PTO-413)

Paper No(s)/Mail Date. \_\_\_\_\_

5) ☐ Notice of Informal Patent Application6) ☐ Other: \_\_\_\_\_

WILLIAM H. BOON  
SUPERVISORY PATENT EXAMINER

## DETAILED ACTION

### *Response to Amendment*

1. The amendment filed on November 26, 2007 has been received and entered. The amendment Cancelled Claims 6-10 and 21-30. The currently pending claims considered below are Claims 1-5 and 11-20.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 11-14, 16 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by **Dick et al. (US 20020174218)**.

Claims 1 and 11 Dick teaches a method and system for dynamically associating type information about extensible messages in a service-oriented architecture, the method comprising:

configuring a simple object access protocol (SOAP) message header associated with a SOAP message body to include message meta-data and semantics describing at least a portion of the content of the SOAP message body so as to enable a receiver to interpret and process the content of the SOAP message body using the meta-data and semantics included in the SOAP message header, thereby facilitating a dynamic exchange of semantic and meta-data information for open content message exchange between a sender and a-the receiver (FIG. 1 and 2; paragraph 30-40).

Claim 2, Dick teaches , wherein said SOAP message header includes an extensible mark-up language (XML) schema for an XML <any> type message (FIG. 2; paragraph 35).

Claim 3, Dick further teaches, wherein said SOAP message header further includes at least one object system type (paragraph 100; "a set of OOP classes and objects for the message interface"). This claimed element of Dick's reference meets the claimed limitation of the claim.

Claim 4, Dick teaches, wherein said SOAP message header further includes a resource description framework (RDF) description of the message (FIG. 3: 314;

paragraph 42; paragraph 74, 87-89; "JMS") . These claimed elements of Dick's reference meets the claimed limitation of the claim.

Claim 19, Dick teaches,

wherein said one or more meta-data processors created by said server side SOAP handler is configured to load an associated XML schema from a uniform resource identifier (URI) location specified in the SOAP header (paragraph 99; "URL"). This claimed element of Dick's reference meets the claimed limitation of the claim.

Claim 20, Dick teaches,

wherein said associating XML processor generates warning messages upon encountering at least one of XML elements and XML attributes that are unspecified by the XML schema (paragraph 32 and 36; warning messages for unrecognized header during analysis of the incoming message stream).

As per claims 12-14, 16, 18, they are rejected for the same reasons as the claims above.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 15 and 17 are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Dick et al. (US 20020174218)** in view of **Stark et al (20030233420)**.

Claims 5, 15 and 17 Dick teaches a method and system for dynamically associating type information about extensible messages in a service-oriented architecture as in claims 1 and 11 above, but he does not explicitly disclose a SOAP message header that include a reference to <any> data included within the SOAP message and defined message extension policy (rules). However, in the same field of endeavor Stark discloses a smartMessage stylesheet XML including XSL language transformation for XML that includes the <any> header for processing any message to endpoints and a rules based processing module 44 in (FIG. 4; paragraph 48-51). It would be obvious to one having ordinary skill in the art at the time the invention was made to modify Dick's invention with Stark's invention to include the <Any> header that is well known in XSL

language transformation for providing an efficient and easier way to configure message content delivered to a target communication device. One would have been motivated to combine these two references in order to provide a system that would intelligently process XML-based electronic messages ( Stark; paragraph 32). Therefore to improve the overall system performance.

### ***Response to Arguments***

6. Applicant's arguments filed November 26, 2007 have been fully considered but they are not persuasive.

As to Claim 1:

a. Applicant argues that " Dick system and method does not particular perform configuration and generation of messages and message headers as presently claimed". The examiner disagrees since, in (FIG. 2 and 3; paragraph 36-37) Dick teaches the element " application header" that could be associated with header of the SOAP application in (FIG. 2: 208; SOAP) which is configured to capture and process header information; and a data extractor function that builds/generates message/ meta-data with semantic meanings to other message data. Therefore these teachings of Dick's reference meet the claimed limitations of the claim. Examiner has cited particular columns and line numbers and/or figures in the references as applied to the claims for the convenience of the applicant. Applicant is reminded that rejections are based on references as a whole and not just the cited passages. Although the specified citations

are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the cited art or disclosed by the examiner.

b. Applicant argues that "Dick fails to disclose the claimed SOAP message header/body attributes". To show that the claimed elements "message header/body attribute" not disclosed in the reference are inherent in SOAP application. Extra Reference or Evidence (Kenn Scribner; Marck C. Stiver ; 2002 by Sams Publishing; "Applied SOAP Implementing .NET XML Web Services"; Chapter 4; page 124-137) Can Be Used To Show an Inherent Characteristic of the Thing Taught by the Primary Reference "To serve as an anticipation when the reference is silent about the asserted inherent characteristic, such gap in the reference may be filled with recourse to extrinsic evidence. Such evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill." Continental Can Co. USA v. Monsanto Co., 948 F.2d 1264, 1268, 20 USPQ2d 1746, 1749 (Fed. Cir. 1991); MPEP, section 2131.01 (III).



c. Applicant argues "that Dick does not teach interpreting and processing the content of the message body associated with the message header, using the meta-data and semantics included in the message header itself". The examiner disagrees since, Dick teaches how the SOAP message body uses the element type XML and header as a mechanism for information exchange between a program sender and a program receiver (paragraph 60,73-76). The usage of SOAP protocol and XML allow programs to communicate with programs anywhere; and the creation of common information format for easy interpretation and processing of content of a body message. Therefore these teachings of Dick's reference meet the claimed limitations of the claim.

As to Claim 11, see the examiner's arguments above.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

Layman et al (2006/0277458). discloses a object persister.

Ringseth et al. (US 7055143) discloses a system and method for providing a declarative syntax for Specification SOAP-BASED web services.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdou Seye whose telephone number is (571) 270-1062. The examiner can normally be reached on Mon - Fri, 7:30am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

AKS  
February 05, 2008

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER